

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6343 of 2007()

CMP.7320/2007 of J.M.F.C., KAYAMKULAM
[CRIME NO.656/2007 OF KAYAMKULAM POLICE STATION]
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: PETITIONER/ACCUSED

SUNIL, S/O GOPALAKRISHNAN ACHARI,
PUTHUPARAMBIL VEEDU, PRAMADAM VILLAGE,
KOZHANCHERY TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.ABRAHAM SAMSON

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KAYAMKULAM POLICE STATION - THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J.

B.A.No.6343 of 2007

Dated this the 22nd day of October 2007

O R D E R

Application for regular bail. The petitioner faces allegations for offences punishable inter alia under Section 366A and 376 I.P.C. The crux of the allegations against the petitioner is that he, a married person having two children, allegedly induced the victim/a minor girl aged about 16 years but less than 18 years to go with him and had sexual intercourse with her on the promise to marry her and despite her resistance for sexual intercourse. The petitioner was arrested on 17/9/2007. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

iii) The petitioner shall not, except for the purpose of complying with condition No.ii) above, enter the jurisdiction of Kayamkulam jurisdiction for the said period of three months.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007